

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EMA FINANCIAL, LLC,

Plaintiff,

-against-

JOEY NEW YORK INC., et al.,

Defendants.  
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<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: _____ DATE FILED: <u>9/3/2021</u>
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17-cv-9706 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

I am in receipt of filings submitted by Plaintiff, (Doc. 203), and Defendant Joey Chancis, (Doc. 204), on September 2, 2021. When Plaintiff submitted its documents by email on July 15, 2021, it submitted *ex parte* its Exhibits 25 and 26. The entire purpose of the protective order was to ensure that Defendants received Exhibits 25 and 26 so that they could rely on those filings in post-trial briefing, but to refrain from putting those filings on the docket to protect Plaintiff's confidentiality interest. Yet, inexplicably, Plaintiff's recent filing under seal, (Doc. 203), only includes Exhibit 25 and does not include Exhibit 26. I do not know whether Plaintiff's failure to produce Exhibit 26 was accidental or purposeful, but the failure is unacceptable and must be remedied. Accordingly, it is hereby:

ORDERED that Plaintiff, on or before September 4, 2021, is directed to file Exhibit 26 on the docket in accordance with the protective order in this case.

IT IS FURTHER ORDERED that the parties are directed to appear for a telephonic conference on September 7, 2021 at 1:00 p.m. to discuss other issues raised by Joey Chancis. The call-in number is 888-363-4749. I direct the parties to meet and confer before this

conference to see if they can resolve the issues ahead of the conference.

SO ORDERED.

Dated: September 3, 2021  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick  
United States District Judge